

**MEMO ENDORSED**

ALLYN &  
FORTUNA  
LLP  
ATTORNEYS AT LAW

December 2, 2020

Via Electronic Case Filing

Hon. Katherine Polk Failla, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

Re: Martinez-Cruz et al v. York Bagels Inc. et al.  
Civil Action No. 20-CV-4084

Dear Judge Failla:

Allyn & Fortuna LLP represents the plaintiffs, Rogelio Martinez-Cruz and Erick Martinez-Castillo (collectively referred to as "Plaintiffs"), in the above-referenced action. We are writing to request an adjournment of the initial pretrial conference in this case, scheduled for December 16, 2020 at 10:00 a.m.

We are requesting an adjournment due to a conflict. Plaintiffs' counsel has a mediation scheduled for December 16, 2020 in a case pending in the Eastern District of New York, *Medrano Aguilar et al v. Merchatz & Co., Ltd. et al.* (20-cv-03621-BMC). The mediation is scheduled to begin at 10:00 a.m. and is expected to last all day. We have conferred with Defendants' counsel and Defendants consent to the adjournment request. This is the first request for an adjournment.

If the court has availability on December 23, 2020, attorneys for all parties are also available for the conference. Otherwise, we respectfully request that the conference be adjourned to a date after January 6, 2021.

Please let us know if you have any questions or require additional information.

Thank you for your consideration.

Respectfully submitted,

/s/

Paula Lopez

Cc.: Defendants' counsel (via ecf)

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Application GRANTED. The initial pretrial conference scheduled for December 16, 2020, is hereby ADJOURNED to December 23, 2020, at 2:00 p.m. At the appointed time, the parties are to call (888) 363-4749 and enter access code: 5123533. Please note that the conference will not be available until 2:00 p.m. The parties' joint pre-conference letter and proposed case management plan (see Dkt. #21), shall be due on or before December 17, 2020.

Dated: December 2, 2020  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE